

JC04 C'd PCT/PTO 26 JUL 2005
PCT

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV736098796US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 26, 2005 Signature: (Yuki Tsukuda)

Docket No.: 15115/141001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tomoki Uesugi et al.

Application No.: 10/516,390

Confirmation No.: 4800

Filed: November 30, 2004

Art Unit: N/A

For: OPTICAL SWITCH

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Requirements – Filing Date Granted mailed July 5, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, an English Translation of Specification, Drawing(s) (32 figures, 21 pages), an Information Disclosure Statement, an Information Disclosure Citation (PTO SB/08), and a Copy of the Notice.

Please charge our Credit Card in the amount of \$260.00 covering the fee set forth in 37 CFR 1.16(f) and 1.16(a)(2). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 15115/141001.

08/02/2005 GFREY1 00000090 10516390

01 FC:1617
02 FC:1618130.00 OP
130.00 OP

Dated: July 26, 2005

Respectfully submitted,

By J.P. Osha #45,079
Jonathan P. Osha Thomas Schleser
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

RECEIVED

Page 1 of 2

JUL 11 2005

OSHA • LIANG LLP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,390	Tomoki Uesugi	15115/141001

22511
 OSHA LIANG L.L.P.
 1221 MCKINNEY STREET
 SUITE 2800
 HOUSTON, TX 77010

INTERNATIONAL APPLICATION NO.
PCT/JP03/08187

I.A. FILING DATE	PRIORITY DATE
06/27/2003	07/01/2002

CONFIRMATION NO. 4800
371 FORMALITIES LETTER

OC000000016445321

Date Mailed: 07/05/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/30/2004
- Copy of the International Search Report filed on 11/30/2004
- Copy of IPE Report filed on 11/30/2004
- Information Disclosure Statements filed on 11/30/2004
- Oath or Declaration filed on 11/30/2004
- Request for Immediate Examination filed on 11/30/2004
- U.S. Basic National Fees filed on 11/30/2004
- Priority Documents filed on 11/30/2004

Prev. Docketed

Docketing:	
Action: <u>I DS</u>	Missing Parts: <u>7 mo</u>
Base Date: <u>11/30/04</u>	<u>7/5/2005</u>
Due Date: <u>2/28/05</u>	<u>9/5/2005</u>
Deadline: <u>7/30/05</u>	<u>7/5/2006</u>
Initials: <u>[Signature]</u>	
Atty./Sec. Initials: <u>[Signature]</u>	

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,390	PCT/JP03/08187	15115/141001

FORM PCT/DO/EO/905 (371 Formalities Notice)



PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 260.00

Complete if Known	
Application Number	10/516,390-Conf. #4800
Filing Date	November 30, 2004
First Named Inventor	Tomoki Uesugi
Examiner Name	Not Yet Assigned
Art Unit	N/A

Attorney Docket No. 15115/141001

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
6 - 20 =	x	=		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
1 - 3 =	x	=		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

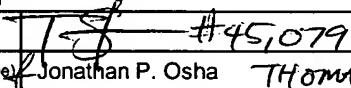
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount) 130.00

Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration 130.00

SUBMITTED BY

Signature 	Registration No. (Attorney/Agent) 33,986	Telephone (713) 228-8600
Name (Print/Type) Jonathan P. Osha THOMAS SCHERER	Date July 26, 2005	

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Dated: July 26, 2005

Signature:  (Yuki Tsukuda)

Certificate of Express Mailing Under 37 CFR 1.10

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Alexandria, VA 22313-1450

on July 26, 2005
Date



Signature

Yuki Tsukuda
Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)
Application Data Sheet (2 pages)
Declaration and POA for Patent Application (4 pages)
English Translation of Specification and Verification of Translation (43 pages)
Drawing(s) (32 figures, 21 pages)
Copy of Notice of Missing Requirements (2 pages)
Response to Notice to File Missing Requirements (2 pages)
Information Disclosure Statement (2 pages)
IDS (Citation) by Applicant (1 Reference)
Payment by credit card. Form PTO-2038 is attached
Charge \$260.00 to credit card